



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

NOV 11 2015

**URGENT LEGAL MATTER - PROMPT AND COMPLETE REPLY IS REQUIRED
CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Thomas S. Santa, CEO
Santa Fuel, Incorporated
154 Admiral Street
Bridgeport, CT 06605

Re: Request for Information, Docket No. CWA-308-R01-FY16-06
Discharge of oil during oil delivery to Exchange Place Towers located at 44 Center St,
Waterbury, CT ("Facility"), on or around October 19, 2015, into Great Brook and the
Naugatuck River

Dear Mr. Santa,

The U.S. Environmental Protection Agency ("EPA") has received a report of the above-referenced oil discharge. To enable EPA to determine whether this discharge violated Section 311(b)(3) of the Clean Water Act (the "Act"), 33 U.S.C. § 1321, you are hereby required, under the authority of Sections 308 and 311(m) of the Act, 33 U.S.C. §§1318 and 1321(m), to answer the questions attached to this letter and to send your response, within 30 calendar days of your receipt of this letter, to:

Joseph Canzano, P.E.
Oil Spill Prevention Compliance Coordinator
U.S. Environmental Protection Agency, Region 1
5 Post Office Sq., Suite 100
Mail Code OES04-4
Boston, MA 02109-3912

Please be advised that noncompliance with the Clean Water Act may subject you to both injunctive relief and penalties. EPA reserves its right to take further enforcement action pursuant to the Clean Water Act, including the right to seek civil penalties, for any violations, including those described above.

Please be further advised that compliance with this information request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, within the time frame specified above, also constitutes a violation of the Clean Water Act subject to enforcement action, including the assessment of civil penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal prosecution under

18 U.S.C. § 1001. If information or documents not known or available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of the response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible, and provide a corrected response.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to you.

Enclosed with this information request letter is an information sheet intended to assist small businesses, as defined by the Small Business Administration ("SBA") at 13 C.F.R. § 121.201, in understanding and complying with environmental regulations. EPA routinely provides this information to businesses in the course of its enforcement activities, whether or not they are a small business as defined by the SBA. The Small Business Regulatory Enforcement and Fairness Act ("SBREFA") provides small businesses with the opportunity to submit comments on regulatory enforcement at the time of an agency enforcement activity. The enclosed Information Sheet provides information on this right, as well as information on compliance assistance that may be available to you. The Small Business Ombudsman may be reached at 1-800-368-5888. Please be aware that availing yourself of this opportunity does not relieve Santa Fuel, Incorporated of its responsibility to comply with federal law and this information request.

Your response to this Request must be accompanied by the certificate that is signed and dated by the person who is authorized to respond to the Request on behalf of the company. The certification must state that your response is complete and contains all information and documentation available to you that is responsive to the Request. A Statement of Certification is enclosed with this letter.

If you have any questions concerning your compliance with this letter, please contact Joseph Canzano the Region I Oil Spill Prevention Compliance Coordinator, directly at (617) 918-1763, or have your attorney contact Jeffrey Kopf, Senior Enforcement Counsel, at (617) 918-1796.

Sincerely,



James Chow, Manager
Technical Enforcement Office
Office of Environmental Stewardship

Enclosure

cc: Kevin Lloyd, Registered Agent, 154 Admiral St., Bridgeport, CT 06605
Jeffrey Kopf, Senior Enforcement Counsel, EPA Region 1 (via email)
Joseph Canzano, Oil Spill Prevention Compliance Coordinator, EPA Region 1 (via email)

Enclosure to Information Request

Re: Discharge of oil during oil delivery to Exchange Place Towers located at 44 Center St, Waterbury, CT ("Facility"), on or around October 19, 2015, into Great Brook and the Naugatuck River

1. Please provide a detailed description of the above-referenced discharge, including:
 - a. Provide the date and time the discharge occurred, the date and time the discharge was discovered, and the date and time the discharge was reported to the National Response Center and any other appropriate federal, state and/or local agencies (e.g., EPA, state environmental agency, fire department). Include the name and phone number of the agency personnel contacted.
 - b. If the spilled oil entered one or more bodies of water, or their adjoining shorelines, provide the name of each body of water.
 - c. Provide the volume of oil spilled, the volume entering a water body or adjoining shoreline, and the grade of oil spilled.
 - d. Describe, in detail, the exact pathway spilled oil traveled, starting from the original spill point to all water bodies into which the oil flowed. Your explanation of the exact pathway shall include all routes the oil traveled including, but not limited to, any sumps, sump pumps, and public and/or private sewer piping systems. Regarding floor drain sumps and/or sump pumps, indicate the location of all sumps and/or sump pumps in areas in the building where oil containers are present and have a potential to convey spilled oil to surface waters, and indicate (if applicable) if sump pump(s) activate automatically or manually. Provide a response that addresses the date the sump(s) and/or sump pumps and associated piping for such systems in the building was installed and by whom.
 - e. Provide the age and volume of the tank from which the oil spilled, the type of liquid leveling sensing device on the tank (e.g., remote high level liquid with audio and visual signal). If the tank doesn't have a liquid leveling sensing alarm device (audible or visual) for the operator filling the tank to directly observe when filling the tank, indicate the exact means by which liquid level in the tank is determined prior to introducing oil into the tank.
 - f. Describe the extent to which the discharge caused a film or sheen on the surface of the water or adjoining shoreline, and/or caused a sludge or emulsion to be deposited on the water body bottom or on adjoining shorelines.
 - g. Describe any environmental damage resulting from the spill, such as fish kills, dead waterfowl or animals, stained vegetation or soil, etc. Provide any documentation in your possession related to the environmental damage resulting from the spill.

- h. Describe any damage to public or private property, such as road surfaces, bridge abutments, dams, beaches, boat hulls, wells, etc.
 - i. Provide a summary of events immediately preceding the spill event, including the probable cause of the spill.
 - j. Describe any actions taken to control and/or remove the spilled material from the environment or to mitigate its effects on the environment, including a summary of the costs of such actions. Please provide copies of all clean-up contractor invoices and manifests.
 - k. Describe, in detail, any measures taken after the spill event to prevent a recurrence, including any estimated or actual costs for such measures.
 - l. Provide the names, titles, addresses and phone numbers of employees and officials you believe to have knowledge of the facts surrounding the spill event.
 - m. Provide copies of any investigative reports by state environmental agencies, state or local police, fire departments, insurance companies, etc.
- 2. Provide the name, address, phone number of the fuel delivery truck's owner at the time of the spill.
 - 3. Provide the name, address, phone number of the fuel delivery truck's operator at the time of the spill, if different from the owner.
 - 4. Provide any additional information which you wish to bring to the attention of EPA.

Statement of Certification for Santa Fuel, Incorporated

(To be returned with Response to Information Request)

I declare under penalty of perjury that I am authorized to respond on behalf of Santa Fuel, Incorporated. I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Print Name)

(Title)

(Date)



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfric.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsc-hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.